

KNOWLEDGE MANAGEMENT CONSIDERATIONS FOR THE INTERGOVERNMENTAL PLATFORM ON BIODIVERSITY AND ECOSYSTEM SERVICES (IPBES)

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The Intergovernmental Science-Policy Platform for Biodiversity and Ecosystem Services (IPBES) is being established to provide authoritative, independent, inclusive, peer-reviewed policy-relevant science-based advice for decision-makers. While IPBES itself is not expected to generate any new data, in undertaking assessments and developing policy relevant advice, biodiversity data and information from many sources will nevertheless be mobilized. IUCN believes that IPBES should have a clear statement of principles and expectations when making use of this information.

The foundation for principles to be considered in knowledge management is enshrined in several existing documents and organizations that are relevant to the work of IPBES including:

- The Principles of the Conservation Commons, supporting open access, conscious, effective, and equitable sharing of data, information and knowledge for all conservation purposes;
- The Partnership for Principle 10 of the *Rio Declaration on Environment and Development*, which notes that environmental issues are best handled with participation of all concerned citizens, at the relevant level, and that at the national level each individual shall have appropriate access to information concerning the environment that is held by public authorities, along with the opportunity to participate in decision-making processes;
- The principles of the Aarhus Convention¹ regarding access to information and public participation and access to justice;
- The Convention on Biological Diversity's Articles 17 (Exchange of Information) and 18 (Technical and Scientific Cooperation) referring to the need for information exchange and sharing;
- The UN's Declaration on the Rights of Indigenous Peoples² whose text, especially articles 27 and 31 and to a lesser extent 19 and 32, recognizes the proper measures to ensure that information about indigenous peoples is collected and distributed appropriately.

¹ Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, Aarhus, Denmark, 25 June 1998, <http://www.unece.org/env/pp/>

² <http://www.un.org/esa/socdev/unpfii/en/drip.html>

IUCN believes that relevant, accurate, usable, timely biodiversity data and information are essential for sound decision making and supports efforts to strengthen biodiversity information sharing, through the development and promotion of **standards** and **best practices** for information management. For the purposes of IPBES assessments and other products, relevant data and information could include data³ which concerns the status, distribution, trends, scenario, drivers of change and impacts relating to the components of biodiversity (genes, species and ecosystems) and can encompass many forms of delivery including hard copy documentation, media, and electronic files and other information in digital form. These data have mostly a strong geographical pattern, leading to the need for spatial informations reference⁴.

The key knowledge management principles that IUCN believes that IPBES should adopt relate to two key areas, namely i) full and free access to information being used to inform IPBES assessments and ii) respect for rights of data providers, be published literature or grey data. IPBES should also be explicit about its expectations with respect to the responsibilities of data providers and data users. Finally, IPBES should have a clear mechanism, embedded in its governance, through which to monitor and enforce the use of these principles.

ACCESS TO IPBES DATA AND INFORMATION

IUCN believes that IPBES should promote open access to biodiversity data and information that are used in IPBES assessments and, within the responsibilities agreed when data is provided to IPBES (discussed below), apply as few restrictions as possible on the use of that data and information. IUCN believes that all biodiversity data and information used for non-commercial purposes, such as IPBES assessments, should be available with minimal, reasonable restrictions on who can access the data and information used for IPBES assessments and how they can be used.

While promoting open access, IPBES will also need to recognize that generating and processing biodiversity data and supporting the maintenance of systems that underpin ongoing data management and improvement of data quality require resources, and therefore IPBES should support the use of mechanisms, as appropriate, to achieve cost recovery in support of those efforts for data and information used in IPBES assessments.

While recognizing the importance of access to IPBES data and information, IPBES will also likely need to recognize that in some cases, access may need to undergo some restrictions when the data or information in question is sensitive in nature. Data and information provided to IPBES may be sensitive for several reasons including, 1) data and information that, if released, could compromise effective biodiversity conservation; 2) time-sensitive data and information that can be released following a specific event (eg. publication of a peer-reviewed paper); or 3) proprietary data and information that is commercially sensitive.

While emphasizing on the use of all available data to nourish IPBES functions, IPBES will be wise to assess the quality of the different datasets that could be used. Since biodiversity is a real complex matter, lacking universal standards of measurements, not all datasets are equal in terms of quality. IUCN would suggest to introduce a rating system that allows to publicize the quality of datasets under use. This would provide an incentive to improve existing datasets and to stimulate development of quality.

³ Data = raw data, aggregated data, metadata, synthesis and analysis

⁴ See for example the INSPIRE Directive enforced by the European Commission (<http://inspire.jrc.ec.europa.eu/>)

IUCN urges IPBES to recognize the important contributions that will be made to IPBES work by data holdings from developing countries and that, as a result, IPBES will recognize the full ownership of biodiversity data used by IPBES to those countries. IUCN believes that an extensive involvement of data providers from the developing countries will be a key of success.

Data being open access often results in a lack of incentive to provide funding to maintain and extend existing datasets, which may be of great value considering the long time series they compile. IPBES should take into account this value of already existing datasets and define a mechanism that, if needed and appropriate for future use, will help to maintain existing datasets.

RESPECT OF INTELLECTUAL PROPERTY RIGHTS (IPR)⁵, INCLUDING COPYRIGHT⁶ AND TRADITIONAL KNOWLEDGE SYSTEMS

IPBES should acknowledge the need to respect IPR of data providers and expect other users of biodiversity data to respect such rights. IPBES itself should not assert any IPR in the data made available for its assessments unless such IPR have been validly transferred by the rightful owner to IPBES. In any case, IPBES should, as far as reasonably possible, keep a record of the ownership and any other IPR associated issues for the biodiversity data sets it draws upon, and ensure the necessary licenses or permissions are in place for its use. Should ownership and IPR be unclear, IPBES should endeavor, as far as reasonably possible, to make fair and equitable arrangements with key stakeholders to facilitate deployment of the data to the benefit of conservation. All IPBES products should include acknowledgement of the sources of the data and information used and urge that attribution be maintained in any subsequent use of the IPBES products.

With respect to traditional knowledge and data that is shared with IPBES for its assessments, IPBES should respect the rights of indigenous peoples and not share, without permission, such knowledge and data without prior informed consent unless the knowledge and/or data is already publicly available in ways that respect the rights of the knowledge holders.

IPBES should consider a 'take-down' policy such that in the event of any reasonable claim of a potential breach of IPR, or other reasonable notice of a possible violation of rights or rules, regarding the content of an online service, the contested item will be removed from the service as quickly as possible pending further investigation and decision by the IPBES Governing Body.

RESPONSIBILITIES OF DATA AND INFORMATION PROVIDERS AND USERS

When accepting data and information for use in IPBES, the Platform should require that such data and information providers ensure the following conditions:

⁵ Intellectual property rights = property rights for intellectual creations; can include copyright, design rights, trademarks, patents and trade secrets

⁶ Copyright = a legal concept giving the creator of an original work exclusive right, usually for a limited time. It gives the copyright holder the right to be credited for the work, to determine who may adapt the work to other forms, who may perform the work, who may financially benefit from it, and other related rights.

- **Data quality and currency.** Individuals or institutions that provide their biodiversity data on a voluntary basis have a responsibility for ensuring that the data are accurate, up-to-date and complete;
- **Rights to provide the data.** Data providers will ensure that they have secured from the rightful owners all the necessary IPR in the data permitting them to transfer the data to IPBES;
- **No undue restrictions are placed on use of the data.** IPBES should request that biodiversity data be provided free of restrictions on use, unless otherwise negotiated. In the case of sensitive data⁷, IPBES reserves the right to request regular reviews of the need to continue to treat the data as sensitive and to have sunset clauses inserted in specific data agreements relating to sensitive data;
- **Transparency in processes used for synthesis and analysis of data.** Data users, including IPBES itself, have responsibilities to ensure the processes by which assessments are undertaken are transparent and clear to all other users.

GOVERNANCE OF IPBES DATA AND INFORMATION MANAGEMENT

The responsibility to manage compliance with agreed knowledge management principles should rest in the senior governance of IPBES. When institutional arrangements for IPBES are finalized, this function should be explicitly included in the mandate of the senior most body designated. On a day-to-day basis, the IPBES Secretariat should be tasked with facilitating and monitoring compliance with the principles and with reporting to the relevant governance body when issues arise.

Should IPBES be part of a consortium delivering a biodiversity information product, IPBES should seek to standardize the principles of management for products relating to those partnerships in line with this principles already adopted by IPBES itself.

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⁷ Sensitive data = 1) data that, if released, could compromise effective biodiversity conservation; 2) time-sensitive data that can be released following a specific event (eg. Publication of a peer-reviewed paper); or 3) proprietary information that is commercially sensitive